

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM ALEXANDER CRUZ,

Defendant.

**CR-15-43-GF-BMM-JTJ**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on April 11, 2019. (Doc. 50). Defendant Cruz waived his right to object to the Findings and Recommendations. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on April 10, 2019. The United States alleged that Cruz had violated the conditions of his supervised release by: 1) failing to report to his probation officer as directed; and 2) by traveling outside of the state of Montana without the permission of his

probation officer. (Doc. 42). Cruz admitted to the alleged violations. (Doc. 188). The violations prove serious and warrant revocation of Cruz's supervised release.

Judge Johnston has recommended that the Court revoke Cruz's supervised release and commit Cruz to the custody of the Bureau of Prisons until May 9, 2019, with thirty (30) months of supervised release to follow. (Doc. 50). Judge Johnston recommended further that Cruz should serve the first 180 days of supervised release at a Residential Re-Entry Center. *Id.* And that the United States Probation Office should be given the authority to shorten Cruz's term at the Residential Re-Entry Center, if appropriate. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Cruz's violations represent a serious breach of the Court's trust. A custody term until May 9, 2019, with thirty (30) months of supervised release to follow, with the first 180 days of supervised release to be served at a Residential Re-Entry Center is sufficient but not greater than necessary.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 50) are **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant William Cruz receive a custody sentence until May 9, 2019, with thirty (30) months of supervised release to follow. Cruz will serve the first 180 days of supervised release at a Residential

Re-Entry Center. The United States Probation Office is given the authority to shorten Cruz's term at the Residential Re-Entry Center, if appropriate.

DATED this 11th day of April, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable. It is positioned above a horizontal line.

Brian Morris  
United States District Court Judge